

JUN 18 2007

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PTO/SB/32 (07-03)

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

Docket Number (optional)

338.072

I hereby declare that:

The residence, mailing address and citizenship of the inventors are stated below.

I am authorized to act on behalf of the following assignee: Lyco Manufacturing, Inc.

and the title of my position with said assignee is: Chief Operating Officer

The entire title to the patent identified below is vested in said assignee.

Inventor David R. Zittel

Citizenship United States

Residence/Mailing Address 155 Oak Grove Drive, Columbus, WI 53925

Inventor Steven W. Hughes

Citizenship United States

Residence/Mailing Address N8449 Coventry Lane, Beaver Dam, WI 53916

☒ Additional Inventors are named on separately numbered sheets attached hereto.

Patent Number 6,234,066

Date of Patent Issued May 22, 2001

Title of Invention Rotary Blancher for Processing Food Product

I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled:

Rotary Blancher for Processing Food Product

the specification of which

☒ is attached hereto.

☐ was filed on _____ as reissue application number _____ / _____

and was amended on _____
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

Additional Inventors

Daniel D. Maupin
6445 NE Pettibone Drive
Corvallis, OR 97330

US Citizen



PTO/SB/52 (07-03)
Approved for use through 01/31/2004. OMB 0851-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

Docket Number (Optional) **338.072**

At least one error upon which reissue is based is described as follows:

It is believed that the scope of the broadest independent claim is too broad in view of the prior art, it is believed that certain further features could have and should have been claimed in both independent and dependent form to better clarify the scope of the invention and further distinguish the invention from the prior art.
These errors were discovered during a review of the patent in light of potential litigation.
[Attach additional sheets, if needed.]

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

I hereby appoint:



Practitioners at Customer Number:

23598

OR



Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Correspondence Address: Direct all communications about the application to:



Customer Number:

23598

OR



Firm or
Individual
Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of person signing (given name, family name)

Steven W. Hughes

Signature

Steven W. Hughes

Date

Feb. 20, 2004

Address of Assignee

Lyco Mfg. Inc., 115 Commercial Drive, Columbus, WI 53925

Attorney Docket Number: 062108-9085

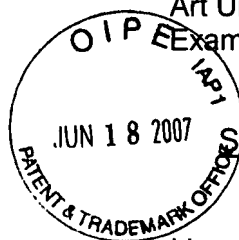
First Named Inventor: David R. Zittel

Application Number: 10/791,695

Filing Date: March 2, 2004

Art Unit: 1761

Examiner: Timothy F. Simone



SUPPLEMENTAL DECLARATION BY THE ASSIGNEE FOR REISSUE PATENT
APPLICATION TO CORRECT "ERRORS" STATEMENT (37 CFR 1.175)

I hereby declare that:

The residence, mailing address and citizenship of the inventors are stated below.

I am authorized to act on behalf of the following assignee: Lyco Manufacturing, Inc. and the title of my position with said assignee is: Chief ~~Operating~~ *Executive* Officer.

The entire title to the patent identified below is vested in said assignee.

Title of Invention: Rotary Blancher for Processing Food Product

Patent Number: 6,234,066

Date of Patent Issued: May 22, 2001

Inventors:

David R. Zittel	155 Oak Grove Drive, Columbus, WI 53925	US Citizen
Steven W. Hughes	N8449 Coventry Lane, Beaver Dam, WI 53916	US Citizen
Daniel D. Maupin	6445 NE Pettibone Drive, Corvallis, OR 97330	US Citizen

I believe said inventors to be the original and first inventors of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled: Rotary Blancher for Processing Food Product, the specification of which was filed on March 2, 2004 as reissue application number 10/791,695, was amended on March 7, 2005, and is amended herewith.

I verily believe the original patent to be wholly or partly inoperative or invalid by reason of the patentee claiming more or less than he had the right to claim in the patent.

At least one error upon which reissue is based is described as follows:

It is believed that the scope of the broadest independent claim is too broad in view of the prior art, it is believed that certain further features could have and should have been claimed in both independent and dependent form to better clarify the scope of the invention and further distinguish the invention from the prior art. These errors were discovered during a review of the patent in light of potential litigation.

One error being relied upon as a basis for reissue is the word "orifice" which rendered claim 1 too broad in view of the prior art and it is believed that certain further features could have and should have been claimed as done so in amended claim 1.

Every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration submitted in this application up to the filing of this oath/declaration arose without any deceptive intention on the part of the applicant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Steven W. Hughes
Lyco Manufacturing, Inc.
115 Commercial Drive
Columbus, WI 53925

6-5-07

Date